

ORDINANCE NO. 13-07

AN ORDINANCE BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD TO AUTHORIZE ADDITIONAL JURISDICTION TO THE BOARD OF PUBLIC WORKS AND SAFETY

WHEREAS, the City of Westfield (“City”) is governed by its duly elected Mayor and Common Council (“Council”) and is charged with the duties to maintain efficient and effective processes in the administration of services provided to the citizens of the City; and

WHEREAS, the City has created the Board of Public Works and Safety (“BPW”) pursuant to Indiana law and wishes to utilize it as a quick and efficient means to address issues within that Board’s expertise; and,

WHEREAS, IC 36-1-3-6 grants municipalities the power to operate and govern local affairs by adopting ordinances prescribing the specific manner in which said power is to be exercised:

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF WESTFIELD, INDIANA, AS FOLLOWS:

Section 1.

That certain issues are presented to the Council such as appeals, reviews, and other relief many of which are more appropriate for the jurisdiction ~~expertise~~ of the BPW. These matters include but are not limited to:

- a) Appeals from fines related to illegal sanitary sewer discharges and discharges into the storm water sewer system.
- b) Requests for reductions of fees and fines imposed by the Westfield Code of Ordinances and allowed by such for reductions.
- c) Any fee, fine and/or charge for utility services ~~ies~~ owned by the City that as imposed ~~are unfair, unjust, miscalculated and/or impose~~create an unintended hardship on a citizen of the City for which relief should be granted.
- d) Initiation and management and of fees related to any extraordinary costs associated with the storm water fees and management of the storm water system, including but not limited to repairs and special fees for areas creating an increased burden on the system.

Section 2.

That the BPW allows for a more efficient and effective management of the issues related to the above and as such, should and is now declared to be the proper entity to hear appeals and reviews outlined above and are hereby granted the authority to act in the best interests of the City and its citizens. The Director of Public Works is also authorized to present to the

For Discussion at Pre-Council Meeting

BPW those issues that are appropriate for relief and to prepare policies and procedures in furtherance of this Ordinance.

Section 3. No charge, fee or potential fine or charge filed in the Noblesville City Court for resolution shall be eligible for relief under this Ordinance.

Section 4. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed invalid shall not operate to invalidate the remaining portions. All acts undertaken to establish this Ordinance and all prior acts undertaken to accomplish the intent of this Ordinance are hereby ratified.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

For Discussion at Pre-Council Meeting

ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____ 2013.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

John Dippel

John Dippel

John Dippel

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

Robert J. Smith

Robert J. Smith

Robert J. Smith

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

For Discussion at Pre-Council Meeting

I hereby certify that ORDINANCE 13-07 was delivered to the Mayor of Westfield
on the _____ day of _____, 2013, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 13-07

this _____ day of _____, 2013.

I hereby VETO ORDINANCE 13-07

this _____ day of _____, 2013.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard, Clerk Treasurer

This document prepared by
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